

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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EMILIANO ERMINI,

Petitioner,

-v-

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
140123  
DATE FILED: JAN 23 2013

No. 12 Civ. 6100 (LTS)(HJP)

VIVIANA VITTORI,

Respondent.

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ORDER

For the reasons stated on the record at the pre-trial conference on January 22, 2013, Respondent's joint motion in limine, for an order requiring that any trial testimony by Emanuele Ermini be taken in camera, on the record, and outside the presence of the parties or their respective counsel, is granted pursuant to the conditions explained by the Court at the conference. Respondent's motion in limine to preclude certain Petitioner testimony and for an adverse inference in light of Petitioner's allegedly insufficient document production is denied for the reasons stated by the Court, with the understanding that both parties will make every effort to communicate with their clients and complete any outstanding document production.

Respondent's motion in limine seeking to preclude Petitioner from offering testimony and written statements of proposed expert witnesses Dr. Nicola Antonucci, Giuseppe Devita and Nicola Rasile is granted in part and denied in part for the reasons stated by the Court at this conference. If promptly translated into English, Dr. Anotonucci's first expert report and testimony related thereto will be admissible at trial, but his second expert report, produced to Respondent on January 17, 2013, is precluded in its entirety, as is testimony related thereto. Any

reports or testimony by Mr. Devita or by Mr. Rasile are precluded. This Order resolves docket entry numbers 28, 31 and 50.

SO ORDERED.

Dated: New York, New York  
January 23, 2013



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Laura Taylor Swain  
United States District Judge